

AO 245D (CASD) (Rev. 1/12) Judgment in a Criminal Case for Revocations
Sheet 1

FILED

12 NOV -8 PM 4:22
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA
V.
GABRIEL DELGADO ROJAS (1)

JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)
(For Offenses Committed On or After November 1, 1987)

Case Number: 99CR0805-IEG

SAMUEL EILERS, FEDERAL DEFENDERS, INC.
Defendant's Attorney

REGISTRATION No. 54596198

THE DEFENDANT:

☒ admitted guilt to violation of allegation(s) No. 1,2,3,4,5

☐ was found in violation of allegation(s) No. _____ after denial of guilt.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following allegation(s):

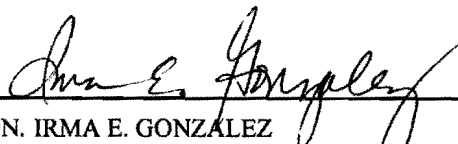
<u>Allegation Number</u>	<u>Nature of Violation</u>
1,2	Unlawful use of a controlled substance
3,4	Failure to participate in drug aftercare program
5	Failure to be truthful and/or follow instructions

Supervised Release is revoked and the defendant is sentenced as provided in pages 2 through 5 of this judgment.
This sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

NOVEMBER 2, 2012

Date of Imposition of Sentence


HON. IRMA E. GONZALEZ
UNITED STATES DISTRICT JUDGE

99CR0805-IEG

DEFENDANT: GABRIEL DELGADO ROJAS (1)

CASE NUMBER: 99CR0805-IEG

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of
5 MONTHS

- ☒ The court makes the following recommendations to the Bureau of Prisons:
Court recommends that the defendant be designated to an institution in the Western Region of the United States.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ before _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: GABRIEL DELGADO ROJAS (1)

CASE NUMBER: 99CR0805-IEG

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

2 YEARS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: GABRIEL DELGADO ROJAS (1)

CASE NUMBER: 99CR0805-IEG

SPECIAL CONDITIONS OF SUPERVISION

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
 - ☒ Not drive nor possess keys or documentation to any motor vehicle unless legally registered to you or an immediate family member, except in the course of employment. Additionally, you shall not possess any burglary tools, including, but not limited to a Slim Jim.
 - ☐ Not transport, harbor, or assist undocumented aliens.
 - ☐ Not associate with undocumented aliens or alien smugglers.
 - ☐ Not reenter the United States illegally.
 - ☒ Not enter the Republic of Mexico without permission of the probation officer.
 - ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
 - ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
 - ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
 - ☒ Shall not possess, wear, use or display, or have in his possession any item associated with gang dress, or any item prohibited by the probation officer, including but not limited to any insignia, emblem, button, badge, cap, hat, scarf, bandanna, or any article of gang clothing, hand sign or paraphernalia associated with membership or affiliation in any gang including but not limited to any Sureno, Corona Varrios Locos, or Mexican Mafia group.
 - ☐ Take no medication containing a controlled substance w/o valid medical prescription, and provide proof of prescription to Probation Officer.
 - ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
 - ☒ Submit person and property to search or seizure at any time of the day or night, by any law enforcement officer, with or without a warrant, and with or without reasonable or probable cause.
 - ☒ Not associate with Corona Barnes gang.
 - ☒ Resolve all outstanding warrants within 90 days of release from confinement.
 - ☒ Complete Inpatient Drug Treatment Program.
 - ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of
 - ☒ Shall not be present in any gang gathering areas specified by the probation officer. Additionally, the offender shall not associate with any known probationer, parolee, or gang member, including but not limited to any Sureno, Corona Varrios Locos, or Mexican Mafia associate, or any specifically disapproved of by the probation officer.
 - ☒ Shall participate in an outpatient substance abuse treatment and counseling program that includes urinalysis, and/or sweat patch testing, as directed by the probation officer. The offender shall abstain from using illicit drugs, alcohol, marijuana and abusing prescription during the period of supervision.
- X Submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the probation officer, pursuant to 18 USC 3583(d).

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 3 — Continued 2 — Supervised Release

Judgment—Page 5 of 5

DEFENDANT: GABRIEL DELGADO ROJAS

CASE NUMBER: 99cr0805-001-IEG

SPECIAL CONDITIONS OF SUPERVISION

- x If deemed necessary by the probation officer, Mr. Rojas shall reside at and participate in an approved residential drug treatment and counseling program approved by the U.S. Probation Officer, that includes urinalysis, and/or sweat patch testing for treatment of narcotic addiction or drug dependency, until discharged by the program director.

- x Shall participate in a vocational/educational services program as directed by the probation officer, which may include job readiness training and skills development training.